App. F. IX-4

Mwz

193 8.

Previous References

Mwz 28-36 (1-2)

File No. 1386-3,96

Serial Nos. 1--2

Letter References

Mwz 25.2.38. 1-5, 7-13.
Mwz 126.6.1-2
mwz ocp 329-41
Mwz 5.3.44.1.2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for December 1938

SUBJECT.

Taking over under Govt management
the Chamaka sand area deposits South of
Purigal in Mahavalli Valley

Govt No 909-1187-12-38

WD 0295—GPB—22,500—13-8-37

Sent to M.C
1, Gampola
" D.C Nuwara

Mwz
13/12/38

G.R.S APP F. III—1] 1934-35

GENERAL AND REVENUE SECRETARIAT.

(Mung)

NOTES.

File No. 17 35

FILE HEADING.

Taking over of the management of Shri Venkataramana Deshavaradeshwara Temple at Bhatkal, North Kanara

FROM

The Honorary Commissioner, Mangalore

No. 118/37-38 Dated 26.10.1937 Received 5.11.1937

Diary No. 475	Enclos.	Spare copies	Serial No.

BRIEF ABSTRACT OF LETTER

With reference to the above subject, requests sanction for taking over the management of the said temple by the Mysore Government as recommended by the Deputy Commissioner, North Kanara

NOTES AND ORDERS.

The Mysore Asst Secretary Comr's letter dated 16.7.37 explained the reasons for the above recommendation. The report submitted, shows that the Trustee of the trust has been grossly mismanaging the trust property and has also alienated the trust property for improper purposes. The conditions referred to in Section 26, having been fulfilled, it is a point for orders whether we, perhaps take the Deshasthas

NOTES—First Sheet

Taking charge of the Mutt premises in Chennai Basudeshwar Math
Lawful Trustee, Mahant &

File No.	of 193 .	General and Revenue Secretariat

under their management under S. 27 of the Regulation, as now recommended.

Filed for order.
5/11/6.11.37. 2. The main contention of the Swamy is that the properties belonged to his ancestors & that they were not endowed by any person & that the claims are baseless. In their detailed resolution dated 14.6.1937 the Govt. with the Swamy stated that the Swamy is only a trustee of the properties which do not belong to him & that there has been mismanagement & that there is a case for action under the Hindu R & E. Institutions Act. The Swamy has not chosen to adduce any evidence as to why action should not be taken under the Act.

3. In the circumstances explained, the management of the Mutt may be taken over by Govt. under Sec. 27 as recommended by the A.C. No ground no grounds has been made for hearing the Swamy, it is for consideration if he may not be heard before order are passed

Gen. Sec.)

9/11

GENERAL SEC.
9 NOV. 1937
2580

Ex. Chairman Board to enquire into matter and report.

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No.

4)
The Swami's statement would seem to be to the effect that the Matha is not only not a Mazrai institution or not even a Non-Mazrai institution. Is there a Matha and how is the succession to it regulated? Is it true that there is no endowment of any kind for the up keep of the Matha? This last statement will be incorrect if the Inspector of Survival at any time gave lands by way of gift for puja in the Matha or for Dasoha

Jud
14/1

Correct information is not available in the file of papers below. Hence calling for the same is Rule.

23.12.37.

Issued on 9.7.38

To The H.C., Cuddapah in connection with the points mentioned in para 4 supra

C. to P.
22/1.

GEN. & REV. SECRETARIAT.
15 JAN 1938
M. ZRAI BRANCH

NOTE—Contn. Sheet.

WD 0264—GPB—30,000—13-8-37

Mismanagement of :-
Sri Channabasaveshwara Mutt at Purigal

File No. of 193 . | General and Revenue Secretariat

Letter No C 118/37 dtd 28.10.38 3
from the M.C in reply to
[illegible] dtd 13 [illegible] in connection
with the above.

(1) The Mungri Commissioner has reported that :-
(1) there is a Mutt in Purigal village, known as Channabasaveshwara Mutt;
(2) that the succession to the seat of the Mutt Swami is regulated by long-established custom of nominating a successor from among the kutumb members of the family of the Swami himself;
(3) that the Mutt is not in receipt of any cash or land endowments from the Govt;
(4) that the Jahagirdar of Srivasanvedham is stated to have granted to the Mutt 3 acres and 10 guntas of Wet land out of S.No 340, and
(5) that no gift has been made by the Jahagirdar either for "puja" or Dasoha.
(8) He has also stated that though the Mutt in question is a non-Mungri Institution Govt are competent to take action in case of gross mismanagement of its property under the

2672/1938

General and Revenue Secretariat | File No | of 193 . | [App. F. III—2

Serial No

provisions of chapter IV of the Act 1935;

(9) The proposal of the M.C to take over the management of the Mutt by Govt under Section 27 of the said Act is for orders.

Sd/ illegible
3/11

Sd/ illegible
3/11

Sd/ illegible

GENERAL SECRETARY.
4 NOV. 1938
620

On complaint of mismanagement of affairs in the Mutha a Commn was formed to enquire & report. The Commn recommends taking over management under Sec 27 of the Act & the Regr

The sworn question the right of Govt to take any action under this Regn as merely not substitution with any endowments either Govt or other the claims in effect that the mutha is a family affair

The M C was asked to report on this contention. His reply d/ 28.10.38 shows that there is an institution in the village and that it is within the powers of Govt to take action to set its affairs right. I think the view is right

Whether the legal position? Please ask Asst Secy Law to be good enough to note.

Sd/ illegible
7/11

NOTE—Contn. Sheet.

WD 0544—GPB—30,000—2-9-38

158
Law
7-11

WSL

Mismanagement of Religious Trusts

File No. of 193/.

General and Revenue Secretariat

15 The statements made by the Swami from time to time show that the Sri Sri Mutha is a Matha and the properties belong to the Matha, and he, as the head of the Matha has been in possession of the properties as the head of the Matha and not in his personal capacity.

16 It is no doubt true that the Matha is not a Muzrai Institution, as it is not in receipt of any cash grant by Govt or in possession of any Inam Land granted for its up keep. But this Circumstance does not prevent the Govt from taking action under Sections 26 and 27, if allegations of mismanagement by the Mathadhipathi are substantiated. In fact the provisions of Sections 24 to 29 are wide enough to apply to all the Mathas irrespective of the Consideration whether or they not they happen to be Muzrai Institutions.

BKR
18.11.38

Asst Secy (Muzrai)

Govt

GENERAL SECRETARIAT
18 NOV. 1938
964

Serial No

17

For perusal. The MC's proposal in his letter dated 28/07/37 may be agreed

MD
24/9

380 [illegible]

198
25/11.

Asst Member)

18

SP2
25/11

19

Dewan

MS
29-11-38

(20) Letter with a draft G.O. sheet

Dewan
MS
1/12

2

409-11 dated 7.12.38

[illegible]

[illegible]

[illegible]

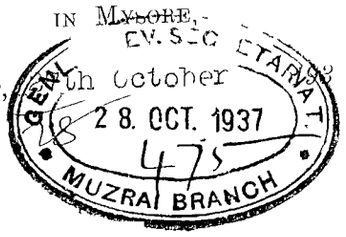
File No. of 193 .

General and Revenue Secretariat

No. 118 Eccl. Records
37-3-8

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,
EX-OFFICIO ETARNAT

Bangalore, 28th October 1937.



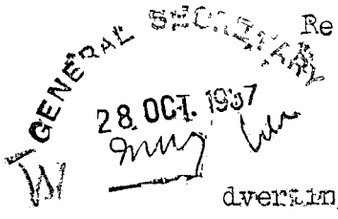
FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

To

Venkatesa Iyengar, Esq., M.A.,
General Secretary to the Government of Mysore,
BANGALORE.

SIR;



Re. taking over under Government management
Sri Channa Pasaveswaradevaru Mutt
at
Poorigali, Malavalli Taluk.

Adverting to G.O.No.225-27/Muz 28-36-2 dated the 10th August 1936 according sanction to this office proposal to constitute a Committee with the Amildar, Malavalli Taluk, as Convenor, to enquire into the affairs of the above Mutt, I have the honor to state that the Deputy Commissioner, Mysore District, reports in his letter No.H.1226/35-36 dated 16th July 1937 (copy enclosed), that the Committee held a number of Meetings, enquired into the affairs of the Mutt, and passed resolutions stating that the present Swamigalu has completely stopped Dasoha etc., which was being offered by the previous Swamigalu, that he has squandered away a sum of Rs 1,050, being the compensation amount paid to him for S.Nos.51 and 52 of Poorigal belonging to the Mutt and acquired for the extension of the village, that he has mortgaged the Mutt lands to Mr. T. S. Sadasiva Murti of Talkad for Rs 3,000 without utilising the said sum for any good purpose, and that, he has purchased 2 acres of wet land in the name of his father, Mallappa, and 4 acres of dry land and one acre of wet land in the name of his sister, Rudramma. that though he was granted one year's time to furnish and maintain necessary accounts he has not done so, that he has, also, not accounted for the 1,000 pallas of paddy at the rate of 50 pallas a year, admitted by him to be remaining after incurring the necessary expenditure every year out of the 195 pallas realised every year for the Mutt; and recommends that as per resolutions passed by the Committee and agreed

to by the Sub Division Officer, the management of the Mutt be taken up by Government, under Section 27 of the Mysore Religious and Charitable Institutions Regulation. The Committee met several times for completing the enquiry and the Swamy of the Mutt was represented by his Pleader, Mr. Subba Rao. Vide Amildar's report dated 15-6-1937.

In the circumstances reported, I be to request that sanction of Government may kindly be obtained to the proposal of the Deputy Commissioner.

The connected records on the subject are sent herewith.

I have the honor to be.

Sir,

Your most obedient servant,

Kuzrai Commissioner.

Appendix F G—1]

SUBJECT . ...

.. ..

....

Section

File No

Serial No

Diary No. of letter replied to . . ..

No 929/En: records

To The Hon'ble M.L.A in Mysore.

Sir,

General and Revenue Secretariat

( )

the *193* .

With reference to correspondence ending with your letter No 118/37-38 dated 28.10.1937 regarding taking over under Govt management, Sri Channa Basaveshwaradeshik Mahaswami at Ponnipuli, Malavalli Taluk, I am directed to state that the statement made by the Swamiji in the matter on 14.6.1937, enclosed in the records, would seem to be to the effect that the Mathas is not only not a Mangani institution but not even a non-Mangani institution and that the proposed interference of Govt in the affairs of the Mathas

Date of issue 6th January 1937

Signed by Mr. S. K. Venkataramana Iyer

List of enclosures.....

Copied by .....

Examined by.....

WD 0521—GPB—30,000—12-3-37

by taking it over under their management
is not permissible under the Regulations
Religious and Char. Institns.
^ ^ ^
I have to enquire whether there is any
~~the kind referred~~
practice and if so, how succession
to it is regulated, and whether
it is true that there is no endowment
of any kind for the up-keep of the
temple. I am also to enquire whether
Sivasamudram (Cauvery Falls Bungalow)
the Tahsildar of ~~Periyapatna~~ Yedatore
at any time kept any diary or gift
for people in the habit of resorting
connected
there. Records relating with
your letter are herewith
for reference and return.

Yours truly

31/12

Yr. good boy

23/12

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 6th January 1938.

No. 429/En: records

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

With reference to correspondence ending with your letter No.118/37-38 dated 28th October 1937 regarding taking over under Government Management, Sri Channa Basaveshwaradevaru Mutt at Poorigali, Malavalli Taluk, I am directed to state that the statement made by the Swami of the Matha on 14th June 1937, enclosed in the records would seem to be to the effect that the Matha is not only not a Muzrai institution but not even a non-Muzrai institution and that the proposed interference of Government in the affairs of the Matha by taking it over under their management is not permissible under the Religious and Charitable Institutions Regulation. I am to enquire whether there is any Matha and if so, how succession to it is regulated and whether it is true that there is no endowment of any kind for up-keep of the Matha. I am also to enquire whether the Jahagirdar of Sivasamudram gave at any time funds by way of gift for puja in the matter or for Dosaha.

The connected records received with your letter are returned herewith for reference and retransmission.

I have the honour to be,
Sir,
Your most obedient servant,

for General Secretary to Government.

Aga/2.

Revs 138-38-1

REV. SECRETARIAT
4488
31. OCT. 1938

M. C. 18]
No. C 118/37-38

End 1 copy 7 (a & b)
12th & 13th cols

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 28th October 1938

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

L. Venkatesa Iyengar, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore.
General Department.

GENERAL SECRETARY.
29 OCT. 1938

SIR,

Re. taking over under cover roll, the Channabasaveswaraadevaru Mutt at Hagari, Harihar Taluk.

929/Muz

With reference to your letter No. 2 dated 8th October 1938 calling for certain additional information relating to the above subject, I have the honor to forward herewith a copy of letter No. M.18./38 dated 14-9-1938 received from the Deputy Commissioner, Mysore District, and to state that it is reported that there is a Mutt in Hagari village known as Channabasaveswara Mutt, the succession to which is regulated by long-established custom of nominating a successor during the lifetime of the existing Swami, that such nomination is generally made by selecting a suitable boy of learning among the family members of the Swamiji himself, that the boy so nominated will be given 'Mantra upa' during the lifetime of the existing Swami and that after his death, the nominated boy will succeed to the gadda and assume 'Guruship'. In regard to cash or land endowments, the Deputy Commissioner reports that the Mutt is not in receipt of any such grant from Government. The Jaghirdar of Sivasamudram is, however, stated to have granted to the Mutt, 3 acres and 10 guntas of wet land out of S. No. 540. No gift has been made by the Jaghirdar either for 'Puja' or 'Dasoha'.

As regards the statement of the Swamiji that the Mutt cannot be considered either as a Muzrai institution or as a non-Muzrai institution

are that the proposed interference of Government in the affairs of the Mutt is not permissible under the Religious and Charitable Institutions Act, I beg to invite Kind reference to this office letter No.S.1731/35-36 dated 17-7-1936 leading to G.O.No.225-27/ Muz.28-36-2 dated 10-8-1936, where it is made clear that the Mutt in question is a non-Muzrai institution and that Government are competent to take action in case of gross mismanagement of the property of the institution under the provisions of Chapter IV of the Mysore Religious and Charitable Institutions Act.

The file of vernacular papers relating to the subject is sent for reference.

I have the Honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

OFFICE OF THE DEPUTY COMMISSIONER,
MYSORE DISTRICT.

No. H.1226/36
Encl. One file

Dated, Mysore, 14th September 1938

FROM

M.G. MEHKRI, ESQ., B.A., LL.B.,
DEPUTY COMMISSIONER,
Mysore District, Mysore.

To

K.V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

SIR,

Subject:- Re: the Mis-management of Sri Purigal Mutt, Malavalli Taluk.

Adverting to your letter No.C.118/37-38 dated 11-1-1938 calling for certain additional information on the above subject, I have the honour to forward herewith the records received with Mandya Sub Division Officer's No.Al.C.617/36-37 dated 30th August 1938 and to state as follows:-

It is reported by the Amildar Malavalli Taluk that there is a Mutt in Purigal Village, known as Channa-basaveswara Mutt, the Succession to which is regulated by long established custom of nom nating a succdessor during the life time of the existing swami. It is said that nomination is generally made by selecting a suitable boy of learning among the family members of the Swamiji himself, that the boy so nominated will be given 'ASHRAMAM' during the life time of the existing swami and after his death the nominated boy will succeed to the Peeta and assume 'GURUSHIP'

The Mutt is not in receipt of any cash grant nor is it endowed with any Inam lands by Government. It is reported that Jahgirdar of Sivasamudram had granted to the Mut 3 acres and 10 guntas of wet land out of S.No.340. This Survey Number has been formed into a separate Survey number 619 and full assessment is being levied thereon. The extracts of Faisal Patrika, Jodidar Parka and Kul-Partika

which

which are enclosed in the records indicate that the above Survey Number was granted by the Jaghirdar but the Swami of the Mutt contends that it is his private property. It is also ascertained that no gift has been made by the Jahgirdar either for the Puja or for the Dasoha.

I have the honour to be,
Sir,
Your most obedient servant,

For Deputy Commissioner,
Mysore District.

SM/2/-

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary No. of letter replied to.....

Section

File No. 138-38

Serial No. 2

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue .....7.....12.....1936

Signed by .....

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part ?

Read—

G.O. No 225-27 / Misc 28-36-2 dated 10.8.1926 sanctioning the appointment of a Committee to enquire into the affairs of the Sri Channa-basavaradeshika Mutt at Melkote in Melkote taluk, under Section 26 of the Mysore Religious & Charitable Endowments Act VII of 1927

Order thereon.—No.

(2) Correspondence ending with letter No C118/37-38 dated 25.10.38 from the M.C in Mysore recommending that in view of the adverse finding of the Committee of Enquiry, the management of the affairs of the said Mutt, the investigation by the Committee and mismanagement by the Mahant disclosed in the enquiry by the

the management of the Trust be
taken up by Government under
Section 27 of the Hindu Religious
and Charitable Endowments Act
VII of 1927.

Order 909-11

~~It is reported that there is a suit~~
~~in Principal Village Munsif~~ The
Chamundeshwari Trust, the Principal Village Munsif is a
Succession to which is regulated
by long established custom of
nominating a successor during
the life-time of the existing Trus-
tee. An Enquiry Committee appointed
~~by Govt to enquire into the affairs~~ of
the Trust is stated to have held
a number of meetings, enquired
into the Trust affairs and passed
~~resolutions~~ (1) that the present
Trusteeship of the Trust has completely
stopped business etc which was
being offered by the previous Trustee

The Trust is not in receipt of any grant of List of Enclosures but it is reported that the Government of Mysore under grant to the Trust some rent lands for Vice of the complaints made to the authorities that the funds of the Trust are being misused by the Trustee was allowed an opportunity to inspect the affairs of the Trust. As no action was taken by the Trustee to inspect the affairs of the Trust. It was a decision of the Govt. to take over the management of the Trust under Section 27 of the M.E. Endowments Act to be exercised with

Copied by

Examined by

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

allegations with a view to further explanation being taken under the law ?

(2) that he has encroached a 2 mm upto 1050 being the compensation amount paid to him for S. 1085 1/1 and 52 of Poonjal village belonging to the Mutt and acquired for the extension of the village. (3) that he has mortgaged the Mutt lands to Mr T.S. Sadasiva Mudr of Talkad for Rs 3000 without utilising the said sum for any good purpose and (4) that he has purchased two acres of wet land in the name of his father Mallikka and four acres of dry land and one acre of wet land in his sister Rudramma's name and (5) that though he was granted one year's time to furnish and maintain necessary accounts he has not done so. It is also reported that the Swamiji has also not accounted for the thousand pallus of paddy at the rate of 50 pallus per year admitted by him to be remaining

WD 0486—GPB—10,000—17 10-33

after investing the necessary expenditure
~~every year~~ as per the Rules Collected
every year for the Mills. In these circumstances the Mc
~~The committee have not been~~ ~~able~~ ~~to complete the enquiry and~~ ~~the Chairman of the Mills~~ ~~dismissed by a letter~~ ~~the~~ ~~In view of the~~ gross mismanagement of the Mills by the Chairman ~~has compelled~~ ~~him to close down and in the circumstances~~ Govt are pleased to direct that the management of the Mills be taken over by Govt under S 42 of the Act VII of 1912. The M.C is requested to take necessary action accordingly.

Govt has recommended that the management of the Mills may be taken over by Govt.

Un signed

2 Secretary

Minister

The M.C in Sheikhupura

Comptroller

D.C. Sheikhupura

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read:-

Government Order No.225-37/Muz.38-36-2 dated 10th August 1936 sanctioning the appointment of a committee to enquire into the affairs of the Sri Channa Basaveswaradevaru Mutt at Furigal in Nagavalli Taluk under section 26 of the Mysore Religious and Charitable Institutions Act VII of 1927.

2. Correspondence ending with letter No.C.118/37-38 dated 28th October 1938 from the Muzrai Commissioner in Mysore recommending that in view of the irregularities and mis-management of the properties of the Matha disclosed in the enquiry by the Committee of Enquiry, the management of the Mutt be taken up by Government under Section 27 of the Mysore Religious and Charitable Institutions Act VII of 1927.

ORDER NO. 909-11/Mzy 138-38-2

Dated, Bangalore, 7th December 1938.

The Channa Basaveswara Mutt in Furigal village is a non-Muzrai Institution, the succession to which is regulated by long established custom of nominating a successor during the life-time of the existing Swami. The Mutt is not in receipt of any grant from Government but it is reported that the Jahagirdar of Sivasamudram has granted to the Mutt some wet lands. In view of the complaints made to the authorities that the properties of the Mutt were being mismanaged, the Swamy was allowed one year's time to improve the affairs of the Mutt. As no action was taken by the Swamy to improve matters a Committee, was on the recommendation of the Muzrai Commissioner, constituted under Section 26 of the Religious and Charitable Institutions Act, to enquire into the allegations, with a view to further action being taken under the law.

The Enquiry Committee is reported to have held a number of meetings, enquired into the Mutt's affairs and found that (1) the present Swamigalu of the Mutt has completely stopped Dasoha etc. which was being ~~afforded~~ offered by the previous Swamigalu, (2) that he has squandered a sum of 1050 being the compensation amount paid to him for S.Nos.51 and 52 of Poorigal village belonging to the Mutt and acquired, for the extension of the village, (3) that he has mortgaged the Mutt lands to Mr.T.S.Sadasiva Murti of Talkad for Rs.3000 without utilising the said sum for any good purpose and (4) that he has purchased two acres of wet land in the name of his fatner Mallappa and five acres of dry land and one acre of wet land in his sister Rudramma's name and (5) that, though he was granted one year's time to furnish and maintain necessary accounts, he has not done so. It is also reported that the Swamigalu has also not accounted for one thousand pallas of paddy at the rate of 50 pallas per year, admitted by him to be remaining after incurring the necessary expenditure out of the 195 pallas realised every year for the Mutt. In these circumstances the Muzrai Commissioner agreeing with the Deputy Commissioner has recommended that the management of the institution may be taken over by Government.

In view of the gross mismanagement of the Mutt by the Swamigalu, Government are pleased to direct that the management of the Mutt ~~xxxx~~ be taken over by Government under Section 27 of the Act VII of 1927). The Muzrai Commissioner is requested to take necessary action accordingly.

For General Secretary to Government.

To

The Muzrai Commissioner in Mysore with records.

The Comptroller to Government of Mysore.

The Deputy Commissioner, Mysore.